



CAPITOL BROADCASTING COMPANY, INC.
2619 WESTERN BOULEVARD
BOX 12800, RALEIGH, NC 27605

March 18, 2015

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street S.W.
Washington, D.C. 20554

Re: MB Docket No. 03-185; GN Docket No. 12-268; ET Docket No. 14-175

Dear Ms. Dortch:

Capitol Broadcasting Company, Inc. ("CBC"), through its subsidiary WILM, Inc., is the licensee of digital LPTV station WILM-LD, Wilmington, North Carolina ("WILM") which is the local CBS affiliate and, along with other television stations in Wilmington, was part of the first group of stations to transition to all-digital operations in 2008. CBC also holds a construction permit for TV translator station W24DP-D, Wilmington, North Carolina ("W24DP") which CBC is currently in the process of constructing (despite the uncertainties surrounding the future of such stations post-auction) and which is expected to be on-air on April 15, 2015. CBC submits this ex parte filing in support of the proposal made in the above-referenced proceeding to establish a path to Class A status for those LPTV stations that demonstrate a commitment to serving their communities.

CBC has a long history of innovation in television broadcasting and is respected throughout the industry as a pioneer in broadcast and wireless technology. Therefore, this proceeding is of particular interest to CBC as the Commission considers ways to ensure that LPTV remains a viable service post-auction.

To that end, CBC agrees with the recommendations made by Gray Television, Inc. ("Gray") in its ex parte filing¹ and DTV America Corporation ("DTV America") in its comments² in this proceeding which encourage the Commission to commence a proceeding to allow LPTV stations that meet certain criteria to apply for Class A status so that those LPTV stations that are able to obtain channels after the incentive auction can be granted Class A status post-auction and securely commit to investments in such channels in the post-auction environment.

It is acknowledged that Congress chose not to protect LPTV stations in the incentive auction, but as Gray and DTV America pointed out in their filings, the Commission has the authority to take actions that ensure continued access to the important local, network, public affairs, and emergency weather programming provided by LPTV stations upon which local communities have come to rely.³ Commencing a proceeding that would allow eligible LPTV stations to apply for Class A status would establish a clear method of prioritizing access to post-auction channels for LPTV stations that are unprotected (and uncompensated) in the auction itself.

¹ Ex parte filing by Gray Television, Inc. dated March 11, 2015.

² Comments of DTV America Corporation at ¶8.

³ Ex parte filing by Gray; Comments of DTV America Corporation at ¶7.

Gray's recommendations are consistent with CBC's earlier comments in this proceeding in which CBC recommended prioritizing access to the channels available post-auction to LPTV and TV translator stations that are operational (as opposed to unbuilt permit holders) because to qualify for Class A status a station must be operational. These recommendations would not require the Commission to grant priority based on the type of programming provided, but instead are based on requirements that LPTV stations be operational and commit to providing a certain level of service to the local community.⁴

CBC encourages the Commission to adopt every possible measure it can to ensure the survival of the LPTV and TV translator service, especially given the difficulties such stations will encounter both before and after the incentive auction.

Respectfully submitted,



Jennifer B. Venable
Vice President and General Counsel

⁴ See Ex parte filing by Gray.